

REMARKS

This Amendment is responsive to the March 31, 2009 Office Action. In the Office Action, claims 23-37 and 40-44 stand rejected and claims 38 and 39 were indicated as allowable.

Allowable Subject Matter

The Office Action at page 5 states that claims 38 and 39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 38 and 39 have been amended to be placed in independent form. Reconsideration of the objection and allowance of claims 38 and 39 are respectfully requested.

Rejections Under 35 U.S.C. §§ 102 and 103

Claims 23-24, 26, 29-33, 37, 40-44 stand rejected under 35 U.S.C. § 102(b) for anticipation by United States Patent No. 941,215 to Wade. Claims 25, 27-28 and 34-36 stand rejected under 35 U.S.C. § 103(a) for obviousness over Wade. In view of the following comments, reconsideration of these rejections is respectfully requested.

Independent claims 23, 40 and 41 recite, *inter alia*, “bias-generating means to enable the base structure to connect under bias to the heating element.”

The Wade patent fails to disclose or suggest bias-generating means to enable the base structure to connect under bias to the heating element as recited in independent claims 23, 40 and 41. In the Office Action at page 2, the Examiner asserts that the casing (10) and sinuously shaped heating element (12) of Wade disclose the claimed base structure. The sinuously shaped heating element (12) of Wade, however, is not a base structure, but rather is a heating element. The Examiner also erroneously asserts that the channel structure (19) of Wade is enclosed by the heating element and the base structure (10). Further, the Examiner asserts that

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the plate (11) of Wade forms a bias-generating means of the claimed invention. The plate (11) of Wade, however, is merely applied to cover the heating element (12) (see page 1, lines 44-51). The plate (11) does not exert any force to other elements of the device and, more particularly, does not create a force to allow the base structure to engage the heating element under bias.

Moreover, even if the closure member (22) of Wade is interpreted as the base structure of the claimed invention with the heating element being formed by the heating element (12) of Wade and the channel structure (19) being enclosed by the closure member (22) and the heating element (12), the Wade patent still fails to disclose or suggest a bias-generating means to enable the base structure to connect under bias to the heating element. In particular, the closure member (22) being secured to the casing (10) via screw threads (23) in Wade fails to disclose or suggest a bias-generating means. As discussed at page 5 of the specification of the present application, for example, the bias-generating means may be a diaphragm spring to enable a homogeneously distributed bias to be realized.

Therefore, the Wade patent fails to disclose all of the limitations of independent claims 23, 40 and 41. Reconsideration and withdrawal of these rejection are respectfully requested.

Claims 24-37 and 42-44 depend from and add further limitations to either independent claim 23 or independent claim 41 and are deemed to be in condition for allowance for all the reasons discussed above with respect to independent claims 23 and 41.

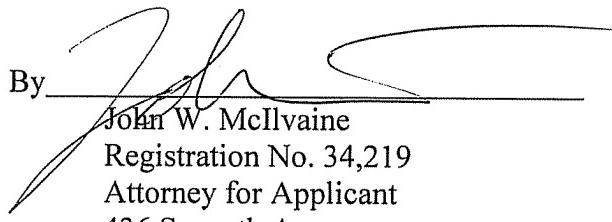
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Conclusion

In view of the foregoing amendments and comments, Applicant respectfully requests reconsideration of the objection and rejections and allowance of pending claims 23-44.

Respectfully submitted,

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